

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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KING VISION PAY PER VIEW , LTD

CIVIL ACTION

VS

401 HOLLY, INC. and  
JOHN IANNA

No. 02-CV-3020

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ANSWER and AFFIRMATIVE DEFENSES

1. The averments of paragraph 1 are conclusions of law to which no responsive pleading is required.
2. The averments of paragraph 2 are conclusions of law to which no responsive pleading is required.
3. The averments of paragraph 3 are conclusions of law to which no responsive pleading is required.

Parties

4. Admitted.
5. Admitted.
6. Admitted.

Preliminary Background

7. Denied. Defendants after reasonable investigation are without information regarding the truth of the averments of paragraph 7, such averments are therefore deemed denied.

8. Denied. Defendant is without information regarding the truth of the averments of paragraph 8, such averments are therefore deemed denied and strict proof is required at time of trial.

9. Denied. Defendant is without information regarding the truth of the averments of paragraph 9, such averments are therefore deemed denied and strict proof is required at time of trial.

9. Denied. Defendant is without information regarding the truth of the averments of paragraph 9, such averments are therefore deemed denied and strict proof is required at time of trial.

10. Denied. Defendant is without information regarding the truth of the averments of paragraph 10, such averments are therefore deemed denied and strict proof is required at time of trial.

11. Denied. Defendant is without information regarding the truth of the averments of paragraph 11, such averments are therefore deemed denied and strict proof is demanded at time of trial.

12. Denied. Defendant is without information regarding the truth of the averments of paragraph 12, such averments are therefore deemed denied and strict proof is demanded at time of trial.

13. Denied. Defendant is without information regarding the truth of the averments of paragraph 13, such averments are therefore deemed denied and strict proof is demanded at time of trial.

14. Denied. Defendant is without information regarding the truth of the averments of paragraph 14, such averments are therefore deemed denied and strict proof is demanded at time of trial.

15. Denied. Defendant is without information regarding the truth of the averments of paragraph 15, such averments are therefore deemed denied and strict proof is demanded at time of trial.

16. Denied. Defendant is without information regarding the truth of the averments of paragraph 16, such averments are therefore deemed denied and strict proof is demanded at time of trial.

17. Denied. Defendant is without information regarding the truth of the averments of paragraph 17, such averments are therefore deemed denied and strict proof is demanded at time of trial.

18. The averments of paragraph 18 are conclusions of law to which no responsive pleading is required.

#### COUNT I

19. Defendants incorporate paragraphs 1 through 18 of their responses as if fully set forth at length.

20. The averments of paragraph 20 are conclusions of law to which no responsive pleading is required.

21. The averments of paragraph 21 are conclusions of law to which no responsive pleading is required.

22. The averments of paragraph 22 are conclusions of law to which no responsive pleading is required.

23. The averments of paragraph 23 are conclusions of law to which no responsive pleading is required.

24. The averments of paragraph 24 are conclusions of law to which no responsive pleading is required.

25. The averments of paragraph 25 are conclusions of law to which no responsive pleading is required.

WHEREFORE, Defendants request this Honorable Court to dismiss the case with prejudice

#### COUNT II

26. The Defendants hereby incorporate their answers to 1 through 25 as if fully set forth at length.

27. The averments of paragraph 27 are conclusions of law to which no responsive pleading is required.

28. The averments of paragraph 28 are conclusions of law to which no responsive pleading is required.

29. The averments of paragraph 29 are conclusions of law to which no responsive pleading is required.

30. The averments of paragraph 30 are conclusions of law to which no responsive pleading is required.

31. The averments of paragraph 31 are conclusions of law to which no responsive pleading is required.

32. The averments of paragraph 32 are conclusions of law to which no responsive pleading is required.

WHEREFORE, defendants requests this Court to dismiss plaintiff's complaint with prejudice

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE- Defendant, JOHN IANNA, was merely a shareholder and officer of 401 Holly, Inc., and not individually liable for the actions of such corporation.

THIRD AFFIRMATIVE DEFENSE- Plaintiff's cause of action is filed more than two years after the alleged violation which is past the applicable statute of limitations. Therefore, plaintiff's claim is barred by the applicable statute of limitations.

WHEREFORE, Defendants request this Honorable Court to dismiss the case with prejudice.

Respectfully submitted,

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